

REMARKS

Reconsideration and allowance of this application are respectfully requested. Claims 3-7, 11, 13, 15-108, and 113-115 are cancelled, and claims 124-132 are added. Claims 1-2, 8-10, 12, 14, 109-112, and 116-123 remain in this application as amended herein. Accordingly, claims 1-2, 8-10, 12, 14, 109-112, and 116-132 are submitted for the Examiner's reconsideration.

Applicants express appreciation to the Examiner for the telephone interview held on March 11, 2008 during which the finality of the Office Action dated February 8, 2008, now withdrawn, was discussed.

In the Office Action, claims 1-2, 8-10, 12, 14, 109-114, and 116-123 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Krishnan (U.S. Patent No. 6,073,124) in view of Shinn (U.S. Patent No. 6,655,585). Claims 113-114 were previously cancelled. Applicants submit that the remaining claims are patentably distinguishable over the relied on sections of the references.

Claims 1, 8, 111, 116, and 123 have each been amended to more clearly show the distinctions over the relied on art. Support for these changes is found, e.g., in Figs. 4-6 and in ¶¶ [0028], [0030], and [0035] of the specification.

As an example, claim 1 recites:

storing, in a database, a unique identification trait of the person and a plurality of files associated with the unique identification trait of the person, the plurality of files being respectively associated with a plurality of providers such that a given one of the plurality of files is associated with a particular one of the plurality of providers[.]

(Emphasis added.) Neither the relied on sections of Krishnan nor the relied on sections of Shinn disclose or suggest a plurality of files associated with a unique identification trait of a person, neither the relied on sections of Krishnan nor the

relied on sections of Shinn disclose or suggest a plurality of files respectively associated with a plurality of providers, and neither the relied on sections of Krishnan nor the relied on sections of Shinn disclose or suggest that a given file is associated with a particular provider.

Rather, Krishnan describes a download file for each item of merchandise that can be distributed electronically. (See col.7 ll.46-49.) The relied on sections of the patent are not at all concerned with a file associated with a unique identification trait, and the relied on sections of the patent are not at all concerned with a file associated with a provider.

Moreover, Shinn merely describes a biometric template of a user that is stored in a smart card along with personal data for the user. (See Fig.5 and col.9 ll.50-60). The relied on sections of the reference are not at all concerned with a plurality of files associated with a biometric template, and the relied on sections of the reference are not at all concerned with a file associated with a provider.

Claim 1 also calls for:

in response to determining that the generated unique identification trait substantially matches the stored unique identification trait,

locating, from among the plurality of files in the database, a file associated with the selected provider,

retrieving, from the database, a credit card number of the person and personal information of the person that are stored in association with the located file,

automatically completing, at said communication device, the received order form using the retrieved credit card number and the retrieved personal information, and

automatically transmitting, to the provider from said communication device, the completed form and a verification code indicating that the generated unique identification trait and the stored unique identification trait substantially match.

(Emphasis added.) Neither the relied on sections of Krishnan nor the relied on sections of Shinn disclose or suggest locating a file associated with a selected provider, neither the relied on sections of Krishnan nor the relied on sections of Shinn disclose or suggest retrieving a credit card number of a person and personal information of the person that are stored in association with a located file, neither the relied on sections of Krishnan nor the relied on sections of Shinn disclose or suggest automatically completing an order form using retrieved credit card number and retrieved personal information, and neither the relied on sections of Krishnan nor the relied on sections of Shinn disclose or suggest automatically transmitting a completed form and a verification code. Moreover, neither the relied on sections of Krishnan nor the relied on sections of Shinn disclose or suggest that such actions are carried out in response to determining that a generated unique identification trait substantially matches a stored unique identification trait.

As the Examiner acknowledges, Krishnan is not concerned with biometric traits. Moreover, as described above, the relied on sections of Krishnan are not concerned with a file associated with a selected provider and, hence, are not concerned with a credit card number and personal information being stored in association with such a file.

Though Shinn discloses that personal data for a user is stored in a smart card, the relied on sections of Shinn do not relate to retrieving such personal data that are stored in association with a file that is also associated with a provider.

Additionally, though the Examiner contends that "online order forms are old and well known", Applicants submit that automatically completing a form in the manner set out in the above excerpt of claim 1 is not well known and that automatically transmitting a completed form in the manner set

out in the above excerpt of claim 1 is not well known. Moreover, neither the relied on sections of Krishnan nor the relied on sections of Shinn teach such features.

It follows, for at least these reasons, that neither the relied on sections of Krishnan nor the relied on sections of Shinn, whether taken alone or in combination, disclose or suggest the method set out in claim 1. Claim 1 is therefore patentably distinct and unobvious over the relied on references.

Independent claims 111 and 123 each recite features similar to those set out in the above excerpts of claim 1. Claims 111 and 123 are therefore patentably distinct and unobvious over the relied on sections of Krishnan and Shinn for at least the same reasons.

Claims 2, 5, 10, 12, 14 and 109 depend from claim 1, and claims 112 and 118-122 depend from claim 111. Therefore, each of these claims is distinguishable over the relied on art for at least the same reasons as its parent claim.

Independent claim 8 recites:

storing, in a database, a plurality of unique identification traits of the person and a plurality of files respectively associated with the plurality of unique identification traits such that a given one of the plurality of files is associated with a respective one of the plurality of unique identification traits[.]

(Emphasis added.) Neither the relied on sections of Krishnan nor the relied on sections of Shinn disclose or suggest storing a plurality of unique identification traits of a person, neither the relied on sections of Krishnan nor the relied on sections of Shinn disclose or suggest a plurality of files respectively associated with a plurality of unique identification traits, and neither the relied on sections of Krishnan nor the relied on sections of Shinn disclose or suggest that a given file is associated with a respective one of a plurality of unique identification traits.

As noted above, Krishnan is not concerned with biometric traits. Further, as described above concerning claim 1, Shinn merely relates to a single biometric template. The relied on sections of Shinn are not at all concerned with a plurality of biometric traits, are not at all concerned with files respectively associated with a plurality of biometric traits, and are not at all concerned with a file associated with a respective one of a plurality of unique identification traits.

Claim 8 further recites:

in response to determining that the generated unique identification trait substantially matches one of the plurality of stored unique identification traits,

locating, from among the plurality of files in the database, the file associated with the substantially matching one of the stored unique identification traits,

retrieving, from the database, a credit card number of the person and personal information of the person that are stored in association with the located file,

automatically completing, at said communication device, the received order form using the retrieved credit card number and the retrieved personal information, and

automatically transmitting, to the provider from said communication device, the completed form and a verification code indicating that the generated unique identification trait and the stored unique identification trait substantially match.

(Emphasis added.) For the reasons set forth above regarding claim 1, neither the relied on sections of Krishnan nor the relied on sections of Shinn disclose or suggest locating a file associated with a substantially matching one of stored unique identification traits, neither the relied on sections of Krishnan nor the relied on sections of Shinn disclose or suggest retrieving a credit card number and personal information that are stored in association with a located file, neither the relied on sections of Krishnan nor the relied on sections of

Shinn disclose or suggest automatically completing an order form using a retrieved credit card number and retrieved personal information, and neither the relied on sections of Krishnan nor the relied on sections of Shinn disclose or suggest automatically transmitting a completed form and a verification code. Moreover, for the reasons set forth above regarding claim 1, neither the relied on sections of Krishnan nor the relied on sections of Shinn disclose or suggest that such actions are carried out in response to determining that a generated unique identification trait substantially matches one of a plurality of stored unique identification traits.

It follows, for at least these reasons, that neither the relied on sections of Krishnan nor the relied on sections of Shinn, whether taken alone or in combination, disclose or suggest the method set out in claim 8. Claim 8 is therefore patentably distinct and unobvious over the relied on references.

Independent claim 116 recites features similar to those set out in the above excerpts of claim 8 and is therefore patentably distinct and unobvious over the relied on sections of Krishnan and Shinn for at least the same reasons.

Claims 9 and 110 depend from claim 8, and claim 117 depends from claim 116. Therefore, each of these claims is distinguishable over the relied on art at least for the same reasons.

Accordingly, Applicants respectfully request the withdrawal of the rejection under 35 U.S.C. § 103.

New claims 124-127 depend from claim 123, and therefore each of these claims is distinguishable over the relied on art for at least the same reasons.

New independent claim 128 recites features similar to those set out in the above excerpts of claim 8, and new claims 129-132 depend from claim 128. Therefore, each of new claims 128-132 is distinguishable over the relied on art for at

least the same reasons.


New claims 124-127 are analogous to claims 112, 118-119, and 121, respectively, new claim 128 is analogous to claim 116, and new claims 129-132 are analogous to claims 112, 118-119, and 121, respectively. Therefore, each of new claims 124-132 is similarly supported.

As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that the Examiner telephone applicants' attorney at (908) 654-5000 in order to overcome any additional objections which the Examiner might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: June 3, 2008

Respectfully submitted,

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